

**CITY COUNCIL MEETING
CITY OF WATERTOWN
November 15, 2010
7:00 P.M.**

MAYOR JEFFREY E. GRAHAM PRESIDING

PRESENT: **COUNCIL MEMBER ROXANNE M. BURNS
COUNCIL MEMBER JOSEPH M. BUTLER, JR.
COUNCIL MEMBER TERESA R. MACALUSO
COUNCIL MEMBER JEFFREY M. SMITH
MAYOR GRAHAM**

ALSO PRESENT: **MARY M. CORRIVEAU, CITY MANAGER
ROBERT J. SLYE, CITY ATTORNEY**

City Staff Present: Jim Mills, Ken Mix, Kurt Hauk and Gary Pilon

The City Manager presented the following reports to Council:

- 1 - Appointment of City Constable, Patricia J. Hennegan
- 2 - Appointment of Deputy City Constable, Michael J. Hennegan
- 3 - Reappointment to Board of Ethics, Mary M. Corriveau
- 4 - Reappointment to Board of Ethics, Rande S. Richardson
- 5 - Reappointment to Board of Ethics, James D. St. Croix
- 6 - Reappointment of Board of Ethics, Frank A. Seminerio
- 7 - Reappointment to Board of Ethics, Arthur C. Stever III
- 8 - Appointment to the Transportation Commission, Michelle L. Appleby
- 9 - Appointment to the Board of Assessment Review, Linda J. Fields
- 10 - Appointment to the Board of Assessment Review, Shawn E. Griffin
- 11 - Appointment to the Board of Assessment Review, Wendell W. Pierce
- 12 - Approving Agreement for Sewer Service Between the City of Watertown and the Town of Watertown, as Administrator for Town of Watertown Sewer Districts No. 2, 3, 4, 5, and 6
- 13 - Approving Agreement for Water Sales Between the City of Watertown and the Town of Watertown, as Administrator for Each of the Town of Watertown Water Districts 1, 3, 4, 5 and 6
- 14 - Dedicating the Recently Constructed Riverfront Park at the Former Abe Cooper Site as Parkland and Naming the Park Factory Square Park
- 15 - Dedicating the Recently Constructed Riverfront Park located Near the Pollution Control Plant at the Fairgrounds as Parkland and Naming the Park Fairgrounds Trail Park
- 16 - Dedicating the Recently Constructed Riverfront Park near the CitiBus Facility on Newell Street as Parkland and Naming the Park Whitewater Park
- 17 - Sidewalk Improvement Special Assessment Program, District No. 7
- 18- Local Law No. 4 -Amending City Code Chapter 81, Animals
- 19- Tabled – Health Insurance Plan Design Changes

- 20- Administrative Fee Schedule for Self-Funded Health Insurance Third Party Administrator
- 21- Financial Report
- 22- Discuss collective bargaining negotiations

COMPLETE REPORTS ON FILE IN THE OFFICE OF THE CITY CLERK

Meeting opened with a moment of silence.

Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of November 1, 2010 was dispensed and accepted as written by motion of Council Member Smith, seconded by Council Member Butler and carried with all voting in favor thereof.

COMMUNICATIONS

From Habitat for Humanity thanking Council for their action of waiving the water and sewer connection fees on the Bradley Street property.

ABOVE PLACED ON FILE

PRIVILEGE OF THE FLOOR

Attorney Slye excused himself from the meeting.

Dr. Collins Kellogg, representing Woodruff Professional Group, addressed the Council regarding concerns with a drive being constructed next to their building between Public Square and J.B Wise lot. He explained that the wheelchair drop would be in the new travel lane. Trash pickup would be affected as well as creating difficulties for office deliveries. He advised that their frail, elderly patients would have to use a crosswalk at the base of the hills and it creates a potential for bad things to happen. He sited their concerns for safety issues and asked Council to reconsider their decision to put in the road.

Attorney Slye returned to the meeting.

RESOLUTIONS

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

RESOLVED that the following individual is hereby appointed as Deputy City Constable for the City of Watertown, for a term expiring on December 31, 2011:

Patricia J. Hennegan
16820 Dry Hill Road
Watertown, New York 13601

**SECONDED BY COUNCIL MEMBER TERESA R. MACALUSO AND CARRIED
WITH ALL VOTING YEA**

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

RESOLVED that the following individual is hereby appointed as Deputy City Constable for the City of Watertown, for a term expiring on December 31, 2011:

Michael J. Hennegan
16820 Dry Hill Road
Watertown, New York 13601

**SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR. AND CARRIED
WITH ALL VOTING YEA**

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

RESOLVED that the following individual is hereby reappointed to the City of Watertown's Board of Ethics for a one-year term expiring on December 31, 2011:

Mary M. Corriveau
1350 Loomus Drive
Watertown, New York 13601

**SECONDED BY COUNCIL MEMBER TERESA R. MACALUSO AND CARRIED
WITH ALL VOTING YEA**

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

RESOLVED that the following individual is hereby reappointed to the City of Watertown's Board of Ethics for a one-year term expiring on December 31, 2011:

Rande S. Richardson
269 Flower Avenue West
Watertown, New York 13601

**SECONDED BY COUNCIL MEMBER JEFFREY M. SMITH AND CARRIED WITH
ALL VOTING YEA**

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

RESOLVED that the following individual is hereby reappointed to the City of Watertown's Board of Ethics for a one-year term expiring on December 31, 2011:

James D. St. Croix
1216 Superior Street, Apt. B16
Watertown, New York 13601

**SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR. AND CARRIED
WITH ALL VOTING YEA**

INTRODUCED BY COUNCIL MEMBER TERESA R. MACALUSO

RESOLVED that the following individual is hereby reappointed to the City of Watertown's Board of Ethics for a one-year term expiring on December 31, 2011:

Frank A. Seminerio
1216 State Street Apt. G
Watertown, New York 13601

SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR. AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

RESOLVED that the following individual is hereby reappointed to the City of Watertown's Board of Ethics for a one-year term expiring on December 31, 2011:

Arthur C. Stever III
304 Paddock Street
Watertown, New York 13601

SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR. AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

RESOLVED that the following individual is appointed to the Transportation Commission to fill the unexpired term of Sandra Guyton, such term expiring on April 1, 2011:

Michelle L. Appleby
1620 Huntington Street, #U2
Watertown, New York 13601

SECONDED BY COUNCIL MEMBER TERESA R. MACALUSO AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

RESOLVED that the following individual is appointed to the Board of Assessment Review to fill the unexpired term of David Bush, such term expiring on September 30, 2011:

Linda J. Fields
302 Gale Street
P.O. Box 6179
Watertown, New York 13601

SECONDED BY COUNCIL MEMBER JEFFREY M. SMITH AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER TERESA R. MACALUSO

RESOLVED that the following individual is appointed to the Board of Assessment Review to fill the unexpired term of David R. Steyer, such term expiring on September 30, 2014:

Shawn E. Griffin
351 Arlington Street
Watertown, New York 13601

SECONDED BY COUNCIL MEMBER JEFFREY M. SMITH AND CARRIED WITH ALL VOTING YEA

Resolution #11 was not presented.

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

WHEREAS the City of Watertown owns a sanitary wastewater collection and treatment system, which is primarily operated for the purpose of collecting and treating sewage from properties within the City, and holds a State Pollutant Discharge Elimination System (SPDES) permit for same, and

WHEREAS the City has excess capacity to collect, transport and treat sanitary wastewater from properties outside the City boundaries, and

WHEREAS the Town of Watertown is the Administrator of Sewer Districts 2, 3, 4, 5, and 6 and has requested the right to deliver sanitary wastewater collected by it from properties outside the City boundaries to the City system for treatment, and

WHEREAS the City may, pursuant to Section 20 of the General City Law of the State of New York and General Municipal Law Sections 119 and 119 (a), enter into an agreement with the Districts to sell the right to make connections to the City system for the purpose of receiving sanitary wastewater there from for treatment at a price fixed by ordinance and/or agreement, and

WHEREAS the City Council desires to enter into a Sewer Service Agreement with the Town of Watertown as Administrator for Town of Watertown Sewer Districts No. 2, 3, 4, 5, and 6,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Sewer Service Agreement between the City of Watertown and the Town of Watertown, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that Mayor Jeffrey E. Graham is hereby authorized and directed to execute the Agreement on behalf of the City of Watertown.

SECONDED BY COUNCIL MEMBER TERESA R. MACALUSO AND CARRIED WITH ALL VOTING YEA

Prior to the vote on the foregoing resolution, Council Member Butler asked if the Town has a written plan that addresses infiltration.

Mrs. Corriveau stated that they don't at this time. However, over the years, they have done a tremendous amount of work, a lot of which has to do with outer Arsenal Street. She advised that

under this contract, if the numbers go up, the City will have the ability to make them put a plan into place.

Mr. Hauk also advised that the specific language in the contract is a requirement of the DEC.

Council Member Smith referred to page 1, section 3, as to City giving approval to outside user and asked what was considered the "City".

Mrs. Corriveau advised that the contract allows for a temporary increase of 10%. However, to keep it at that amount, it would have to come back to the Council at the end of the contract or to the Council if it was any amount over 10%.

Mrs. Corriveau reviewed the current usage figures with Council.

Mr. Hauk explained that they took the historic consumption figures and gave them an amount above that.

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

WHEREAS the City of Watertown owns a water supply system, which it operates for the purpose of supplying the City and its inhabitants with water, and

WHEREAS the City has excess capacity to produce and transport water in excess of its own needs, and

WHEREAS the Town of Watertown is the Administrator of Water Districts No. 1, 3, 4, 5 and 6 and has requested the right to draw water from the City System for use in the Districts as they currently exist and as they may be extended and expanded during the term of the Agreement, and

WHEREAS the City may, pursuant to Section 20 of the General City Law of the State of New York and General Municipal Law Sections 118 and 118 (a), enter into an agreement with the Districts to sell the right to make connections to the City System for the purpose of drawing water there from and the City may fix the prices so long as such action will not render the supply of water for the City or its inhabitants insufficient, and

WHEREAS the City Council desires to enter into an Agreement for the Provision of Water Services with the Town of Watertown as Administrator for each of the Town of Watertown Water Districts 1, 3, 4, 5 and 6,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Agreement for the Provision of Water Services between the City of Watertown and the Town of Watertown, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that Mayor Jeffrey E. Graham is hereby authorized and directed to execute the Agreement on behalf of the City of Watertown.

SECONDED BY COUNCIL MEMBER TERESA R. MACALUSO

Commenting on the foregoing resolution, Mrs. Corriveau referred to her memo and stated that the uniform rate is equal to 100% of the first tier step, not 120%.

MOTION WAS MADE BY COUNCIL MEMBER SMITH TO AMEND SECTION 7 OF THE AGREEMENT TO MAKE THE UNIFORM RATE EQUAL TO 120% OF THE FIRST TIER STEP OF THE INSIDE USER RATE SCHEDULE.

MOTION WAS SECONDED BY COUNCIL MEMBER BUTLER

After discussion, Council Member Butler withdrew his second to the motion.

Council Member Butler asked about the inconsistency between the sewer and water agreements.

Attorney Slye explained that there is an unlimited supply of water, but not an unlimited sewer capacity. He also advised Council that the City doesn't have the right to insert the additional 20% charge as the terms of the agreement on page 3 indicate that this is a renewal of the agreement from 2008. Either party may give written notice to the other at least twelve (12) months prior to its intent not to renew as to each District.

Mrs. Corriveau advised that this is the same contract with only dates and rate changes. The rates are adjusted based on Council's change of rates.

Council Member Smith commented that Council could amend the City Code to read as the sewer agreement does. He also questioned what was discussed when this original agreement was done in 2008.

Attorney Slye responded that to amend the Code at this time would be a bad faith, back door deal and would not be the intent of the negotiations.

Mayor Graham remarked that this agreement was negotiated in good faith at the time. He suggested that perhaps that should have been a 9 year contract instead of 3 three-year contracts.

Attorney Slye explained that the shorter terms are there for a reason, so that we are not locked into a longer contract.

Mr. Pilon addressed the chair discussing the outside user rates. He explained that Mr. Lettiere pays 2.3-2.4 times the city user rate and any one outside the Town of Watertown districts pay under the tiers system. He also explained that originally, each district was a separate agreement. However, three years ago, an attempt was made to combine the districts.

MOTION WAS MADE BY COUNCIL MEMBER BUTLER TO TABLE THE FOREGOING RESOLUTION. MOTION WAS SECONDED BY COUNCIL MEMBER SMITH AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCIL MEMBER BURNS AND COUNCIL MEMBER MACALUSO VOTING NAY.

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

WHEREAS the City of Watertown has received funding from the New York State Office of Parks Recreation and Historic Preservation (NYSOPRHP) for the construction of a riverfront park on land known as the Abe Cooper Site located along Factory Street, and

WHEREAS the construction of the riverfront park has been completed and includes a riverfront trail, a parking area, lawn areas, landscaping and various site amenities, and

WHEREAS the NYSOPRHP requires that the City submit a boundary map and officially designate the improved areas as parkland, and

WHEREAS the City Council, at its July 6, 2009 meeting, discussed various park names and agreed that the official name of the new riverfront park in this location should be Factory Square Park, and

WHEREAS a boundary map that identifies the area to be designated as parkland has been prepared by the GIS Division of the Information Technology Department and is attached and made part of this resolution, and

WHEREAS a description of the proposed parkland has been prepared as follows:

ALL THAT TRACT or parcel of land situate in the City of Watertown, County of Jefferson, State of New York, and being further described as follows:

BEGINNING at a $\frac{3}{4}$ " iron pipe found in the westerly margin of Factory Square, said iron pipe being situate N27°04'19"W as measured along the westerly margin of Factory Square a distance of 150.04' from a drill mark in the concrete sidewalk found marking the intersection of the westerly margin of Factory Square and the northwesterly margin of Factory Street (66' wide ROW).

THENCE S60°59'11"W as measured along the "rear" property line of P.N. 605201, a distance of 292.54' to a $\frac{3}{4}$ " iron pipe found;

THENCE S27°35'49"E as measured along the common property line shared by P.N. 605201 and P.N. 605201.002 a distance of 24.96' to a $\frac{3}{4}$ " iron pipe found at the most northeasterly corner of P.N. 605201.001;

THENCE S60°59'11"W along a line running parallel to the northwesterly margin of Factory Street, passing through a ¾" iron pipe found on the line at 115.00' and continuing a total distance of 459.17' to a point in the northeasterly property line of P.N. 604301;

THENCE N28°19'34"W along the northeasterly property line of P.N. 604301 a distance of 8.00' to a ¾" iron pipe found;

THENCE N36°26'04"E along the common property line shared by P.N. 605403 and P.N. 605305 a distance of 172.27' to a ¾" iron pipe found;

THENCE N42°31'52"E along the common property line shared by P.N. 605403 and P.N. 605305 a distance of 201.28' to a ¾" iron pipe found at the most northeasterly corner of P.N. 605403;

THENCE S27°35'49"E along the common property line between P.N. 605403 and P.N. 605305 passing through a ¾" iron pipe found at 31.90' and continuing a total distance of 35.40' to a ¾" iron pipe found at an angle point in the westerly margin of the (abandoned 11/29/1919) portion of Fairbanks Street (28' and 40' wide ROW);

THENCE N48°45'23"E along the northwesterly margin of Fairbanks Street (40' wide ROW) (abandoned 11/29/1919), a distance of 48.00' to a ¾" iron pipe found at the intersection of said northwesterly margin and the common northeasterly property line shared by P.N. 605305 and P.N. 605304;

THENCE N27°35'49"W along the common property line shared by P.N. 605304 and P.N. 605305 a distance of 40.93' to a ¾" iron pipe found;

THENCE N42°31'52"E along the common property line shared by P.N. 605304 and P.N. 605305 a distance of 70.73' to a ¾" iron pipe found;

THENCE N53°22'13"E along the common property line shared by P.N. 605304 and P.N. 605305 a distance of 262.18' to a ¾" iron pipe found;

THENCE N63°08'19"E along the common property line shared by P.N. 605304 and P.N. 605305 a distance of 168.87' to a ¾" iron pipe found at the most northeasterly corner of P.N. 605304;

THENCE S28°04'19"E along the common property line shared by P.N. 605304 and P.N. 650303 a distance of 56.00' to a ¾" iron pipe found in the northwesterly margin of Fairbanks Street (40' wide ROW);

THENCE S62°55'41"W along the northwesterly margin of Fairbanks Street (40' wide ROW) a distance of 132.78' to a ¾" iron pipe found;

THENCE S27°04'19"E along the westerly margin of Fairbanks Street and Factory Square, a distance of 133.43' to the point and place of beginning.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby dedicates the land described above as parkland and that the park shall be officially known as Factory Square Park, and

BE IT FURTHER RESOLVED that the City Manager, Mary M. Corriveau, is hereby authorized and directed to sign the official boundary map on behalf of the City for submission to the NYSOPRHP.

SECONDED BY COUNCIL MEMBER TERESA R. MACALUSO AND CARRIED WITH ALL VOTING YEA

Prior to the vote on the foregoing resolution, Council Member Smith asked about the rocks being put in.

Mr. Mix explained that an easement was put together and it was sent out to Blue Moon, LL in October. The City has not yet received a signed copy from their attorney.

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

WHEREAS the City of Watertown has received funding from the New York State Office of Parks Recreation and Historic Preservation (NYSOPRHP) for the construction of a riverfront park on land near the Pollution Control Plant at the Fairgrounds, and

WHEREAS the construction of the riverfront park has been completed and includes a riverfront trail, overlook areas, lawn areas, landscaping and various site amenities, and

WHEREAS the NYSOPRHP requires that the City submit a boundary map and officially designate the improved areas as parkland, and

WHEREAS the City Council, at its July 6, 2009 meeting, discussed various park names and agreed that the official name of the new riverfront park in this location should be Fairgrounds Trail Park, and

WHEREAS a boundary map that identifies the area to be designated as parkland has been prepared by the GIS Division of the Information Technology Department and is attached and made part of this resolution, and

WHEREAS a description of the proposed parkland has been prepared as follows:

ALL THAT TRACT or parcel of land situate in the City of Watertown, County of Jefferson, and State of New York and being further described as follows:

BEGINNING at a point at the intersection of the easterly margin of William T. Field Drive (50' wide ROW) and a perimeter chain-link fence line corner; said fence line being a Wastewater Treatment Plant perimeter fence line.

THENCE in a generally easterly direction along said fence line, a distance of about 203.7' to a corner in said fence line;

THENCE in a generally northerly direction along said fence line, a distance of about 287.9' to an angle point in said fence line;

THENCE in a generally northwesterly direction along said fence line, a distance of about 153.9' to an angle point in said fence line;

THENCE in a generally northwesterly direction along said fence line, a distance of about 75.4' to an angle point in said fence line;

THENCE in a generally northwesterly direction along said fence line, a distance of about 69.5' to an angle point in said fence line;

THENCE in a generally westerly direction along said fence line, a distance of about 45.2' to an angle point in said fence line;

THENCE in a generally northwesterly direction along said fence line, a distance of about 451.8' to an angle point in said fence line;

THENCE in a generally northwesterly direction along said fence line, a distance of about 159.3' to an angle point in said fence line;

THENCE in a generally northwesterly, westerly, and southwesterly direction along a curve to the left, a distance of about 465.1' to a point;

THENCE in a generally northwesterly direction, a distance of about 63.1' to a point in the easterly property line of P.N. 8-34-101.000;

THENCE in a generally northeasterly direction along the easterly property line of P.N. 8-34-101.000, a distance of about 127.5' to the most northeasterly corner of P.N. 8-34-101.000;

THENCE in a generally northwesterly direction along the northerly property lines of P.N. 8-34-101.000 and P.N. 8-34-102.000, a distance of about 142.3' to an angle point in the property line of P.N. 8-34-102.000;

THENCE in a generally northeasterly direction along the easterly property of P.N. 8-36-101.000, a distance of about 261.9' to a point in the centerline of the Black River;

THENCE in generally, southeasterly, and southerly directions, up the centerline thread of the Black River as it winds and turns, a distance of about 2,390.6' to a point in the centerline of the Black River;

THENCE in a generally westerly direction, a distance of about 524.5' to a point in the easterly margin of William T. Field Drive;

THENCE in a generally northerly direction along the easterly margin of William T. Field Drive, a distance of about 494.1', to the point and place of beginning.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby dedicates the land described above as parkland and that the park shall be officially known as Fairgrounds Trail Park, and

BE IT FURTHER RESOLVED that the City Manager, Mary M. Corriveau, is hereby authorized and directed to sign the official boundary map on behalf of the City for submission to the NYSOPRHP.

SECONDED BY COUNCIL MEMBER TERESA R. MACALUSO AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

WHEREAS the City of Watertown has received funding from the New York State Office of Parks Recreation and Historic Preservation (NYSOPRHP) for the construction of a riverfront park on land near the CitiBus Facility on Newell Street, and

WHEREAS the construction of the riverfront park has been completed and includes a riverfront trail, an overlook, lawn areas, landscaping and various site amenities, and

WHEREAS the NYSOPRHP requires that the City submit a boundary map and officially designate the improved areas as parkland, and

WHEREAS the City Council, at its July 6, 2009 meeting, discussed various park names and agreed that the official name of the new riverfront park in this location should be Whitewater Park, and

WHEREAS a boundary map that identifies the area to be designated as parkland has been prepared by the GIS Division of the Information Technology Department and is attached and made part of this resolution, and

WHEREAS a description of the proposed parkland has been prepared as follows:

ALL THAT TRACT or parcel of land situate in the City of Watertown, County of Jefferson, and State of New York and being further described as follows:

BEGINNING at a point in the westerly property line of P.N. 7-08-302.000; said point being situated S20°15'04"W, a distance of 33.50' from the most northwesterly corner of P.N. 7-08-302.000;

THENCE in a generally northwesterly direction along the existing parking lot curb line, a distance of about 217.7' to a point in the most easterly property line of P.N. 7-08-305.000;

THENCE in a generally northeasterly direction along the easterly property line of P.N. 7-08-305.000, a distance of about 35.2' to a capped ½" iron rod found marking the most northeasterly corner of P.N. 7-08-305.000;

THENCE in a generally northwesterly direction along the rear property line of P.N. 7-08-305.000(said rear line is parallel to and 100.00' northerly thereof, the northerly margin of Newell Street); passing through a capped ½" iron rod found on line at 243.11' and continuing a total distance of 380.00' to a capped ½" iron rod found marking the most northwesterly corner of P.N. 7-08-305.000;

THENCE in a generally northeasterly direction along the westerly property line of P.N. 7-08-307.000, a distance of about 228.5'+/- to a point in the center of the Black River;

THENCE in a generally southeasterly direction up the centerline thread of the Black River as it winds and turns, a distance of about 591.5' to a point in the center of the Black River;

THENCE S20°15'04"W, along a northerly extension of, and a portion of the westerly parcel line of P.N. 7-08-302.000, a distance of about 199.1' to the point and place of beginning.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby dedicates the land described above as parkland and that the park shall be officially known as Whitewater Park, and

BE IT FURTHER RESOLVED that the City Manager, Mary M. Corriveau, is hereby authorized and directed to sign the official boundary map on behalf of the City for submission to the NYSOPRHP.

SECONDED BY COUNCIL MEMBER TERESA R. MACALUSO AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCIL MEMBER SMITH VOTING NAY

Council Member Smith asked why the eastern part wasn't included.

Mr. Mix explained that it was because this dedication was required by the NYS Parks & Recreation, which supplied the funding for this particular section.

Council Member Smith questioned why one is a dedicated park and the other is a park that isn't dedicated.

Mayor Graham asked if leaving it as it is will help.

Attorney Slye responded that it would because once it's parkland, it's parkland.

Mayor Graham remarked that while he agrees with Council Smith that it is a little confusing, he would assume that there are reasons to do it this way.

Mr. Mix responded that the intent was that eventually it would all be a park. Now, we are just formalizing the names and this particular portion was funded through state park funds. The state park department is completely satisfied with the boundaries since they are the same as what the grant listed. He also remarked that the Dept. of State doesn't require dedication for park land.

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

WHEREAS the City Engineering Department has inspected sidewalks within the City of Watertown, and

WHEREAS it has been determined that the condition of sidewalks on certain streets are in need of repair and/or replacement, and

WHEREAS the City Council of the City of Watertown feels it is in the overall public interest to provide property owners within the City of Watertown with an opportunity to pay for said repair/replacement work through a Special Assessment Program,

NOW THEREFORE BE IT RESOLVED that a public hearing will be held on Monday, January 3, 2011, at 7:30 p.m. at which time property owners included in the Special Assessment Program will have an opportunity to make comments on whether all or a portion of the cost for proposed sidewalk improvements should be a charge or expense upon the abutting property owners, and

BE IT FURTHER RESOLVED that the City Engineering Department will send notices to all property owners notifying them of their inclusion in this year's program and that there will be a public hearing to consider whether all or a portion of the cost for proposed sidewalk improvements should be a charge or expense upon the abutting property owners, and

BE IT FURTHER RESOLVED that the properties included in the Sidewalk Special Assessment Program, District No. 7, detailed on the attached report, which is made a part of said resolution.

SECONDED BY COUNCIL MEMBER TERESA R. MACALUSO AND CARRIED WITH ALL VOTING YEA

Prior to the vote on the foregoing resolution, Mrs. Corriveau asked for Council consensus on how they wanted this funded.

The majority of the Council concurred to appropriate it from the general fund.

NO MOTION WAS MADE TO TAKE FROM THE TABLE THE RESOLUTION ACCEPTING HEALTH INSURANCE PLAN DESIGN CHANGES. (Introduced on September 7, 2010, and can be found in its entirety on page 179 of the 2010 Minutes Book.)

LOCAL LAW

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

WHEREAS the City Council of the City of Watertown hereby finds that in view of the new State Laws imposing increased responsibility on the City for the licensing of dogs that it is necessary to revise prior regulations with respect to licensing of dogs,

NOW THEREFORE BE IT ENACTED by the City Council of the City of Watertown that §81-1, Licensing of Dogs is amended to read as follows:

No person shall own or harbor a dog except as provided herein.

- (a) All dogs in the City of Watertown unless otherwise exempted, must be licensed with the City Clerk by the age of 4 months, have license tags, and are required to present a current Certificate of Rabies at the time of licensing or the renewal of an existing license. Dogs of any age which are held at a shelter, pursuant to a contract or agreement with the County of Jefferson or a duly incorporated society for the prevention of cruelty to animals, humane society or dog protective association do not have to be licensed.
- (b) Any dog harbored within the City of Watertown which is owned by a resident of New York City or licensed by the City of New York, or which is owned by a non-resident of New York State and licensed by a jurisdiction outside the State of New York, shall for a period of thirty (30) days be exempt from the licensing and identification provisions of this local law.
- (c) All dog licenses shall be for a period of one (1) year and will expire at the end of the month one (1) year from the date of issue. Municipal identification tags will be issued by the City Clerk.
- (d) Fees for Licensing Dogs: The fee for a spayed or neutered dog will be \$10.00, (which includes the assessment of a \$1.00 surcharge for the purpose of carrying out animal population control) and the fee for an un-spayed or un-neutered dog will be \$20.00, (which includes the assessment of a \$3.00 surcharge for the purpose of carrying out animal population control) with such fees being reviewed by the City Council periodically and which may be changed by a resolution of the City Council, if deemed necessary.
- (e) Enumeration Fee: When, and if, the City Council determines the need for a dog enumeration, a fee of \$5.00 will be assessed to all dogs found unlicensed, or upon license renewal, at the time the enumeration is conducted.

- (f) Purebred/Kennel License: The City of Watertown will not be issuing Purebred or Kennel Licenses. All dogs will be licensed individually as per fee system stated above.
- (g) Service Dogs: The City of Watertown will issue exempt license(s) for any guide dog, service dog, hearing dog, detection dog, search dog, working dog or therapy dog upon presentation of a current Certificate of Rabies.
- (h) The City of Watertown does not authorize the licensing of dogs by a shelter.
- (i) All dog licenses and municipal identification tags may be purchased by visiting the City Clerk's office or by regular mail. If licensing or renewing a license by mail, the appropriate fee must accompany the forms. There will be NO refund of fees.
- (j) All fees will be used in funding the administration of this Chapter.

BE IT FURTHER ORDAINED that this Local Law shall repeal and supersede all prior Local Laws, Ordinances, Rules and Regulations relative to the licensing of dogs within the City of Watertown, and

BE IF FURTHER ORDAINED that if any part of this Chapter shall be found to be void, voidable, or unenforceable for any reason whatsoever, it shall not affect the validity or enforceability of any remaining section or provision of this Chapter, and

BE IT FURTHER ORDAINED that a public hearing was held on this amendment on December 6, at 7:30 p.m. in the City Council Chambers, and

BE IT FURTHER ORDAINED that this Local Law will be immediately filed in the Office of the Secretary of State and shall take effect on January 1, 2011.

SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR.

MOTION WAS MADE BY COUNCIL MEMBER SMITH TO SCHEDULE A PUBLIC HEARING ON THE FOREGOING LOCAL LAW FOR MONDAY, DECEMBER 6, 2010 AT 7:30 P.M. MOTION WAS SECONDED BY COUNCIL MEMBER BUTLER AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

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COUNCIL DISCUSSED THE FOLLOWING TOPICS:

Sales Tax & Financials

Council reviewed the memos concerning these figures.

Tourism Fund

Mayor Graham commented that we need to keep an eye out for any particular opportunity to use the extra monies that are being taken in for this fund.

Mrs. Corriveau advised that there will be a report for Council at the December work session.

Health Care Administrative Fee

Council Member Smith asked if this fee was per employee or per number of enrollees.

Mrs. Corriveau explained that she believed it to be per employee, but would verify.

Light Pole in front of Key Bank

Council Member Butler remarked that he was pleased to see that this had been taken care of.

Tree Watertown

Council Member Butler thanked Tree Watertown, Mike Lumbis and the volunteers for all their work.

Stranded Parcel Near JCC

Council Member Smith asked what the status was of this parcel. The City was to contact the County to see if there were interested in it.

Mrs. Corriveau will check into this.

Ogilvie Site

Mrs. Corriveau advised that the quarries are not interested in the shot rock. However, Jefferson County is and would pick it up. Purcell Construction will get back to us on Tuesday to let us know if they are interested also.

Council concurred.

Draft SPEDES Permit

Mrs. Corriveau advised that Mr. Sligar is currently reviewing the draft SPEDES permit which includes DEC's intent to modify the permit. She stated that this is customary and to her knowledge, contains nothing negative.

Council Training

Mrs. Corriveau has found two trainings online that will go toward Council's training requirements. One is ethical standards for planning and zoning boards and the other is locally unwanted land uses. These trainings can be offered at a time that is convenient for members.

Christmas Parade & Tree Lighting

The Christmas parade will be on Sunday, Nov. 28th and the tree lighting is scheduled for Thursday, December 2nd.

EXECUTIVE SESSION

MOTION WAS MADE BY COUNCIL MEMBER SMITH TO MOVE INTO EXECUTIVE SESSION TO DISCUSS COLLECTIVE BARGAINING NEGOTIATIONS AND THE EMPLOYMENT HISTORY OF A PARTICULAR INDIVIDUAL. MOTION WAS SECONDED BY COUNCIL MEMBER BURNS AND CARRIED WITH ALL VOTING YEA

Council moved into Executive Session at 8:25 p.m.
Council reconvened at 8:45 p.m.

ADJOURNMENT

AT THE CALL OF THE CHAIR MEETING WAS DULY ADJOURNED AT 8:45 P.M. UNTIL MONDAY, NOVEMBER 29, 2010 AT 6:30 P.M. BY MOTION OF COUNCIL MEMBER SMITH, SECONDED BY COUNCIL MEMBER BURNS AND CARRIED WITH ALL VOTING YEA.

Donna M. Dutton
City Clerk